

1 S. Mark Varney, No. 121129
Jonathan Yank, No. 215495
2 **CARROLL, BURDICK & McDONOUGH LLP**
Attorneys at Law
3 44 Montgomery Street, Suite 400
San Francisco, CA 94104
4 Telephone: 415.989.5900
Facsimile: 415.989.0932
5 Email: mvarney@cbmlaw.com
jyank@cbmlaw.com

6 Attorneys for Plaintiff
7 **SUNBEAM PRODUCTS, INC.**

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 **FIRE INSURANCE EXCHANGE,**

12 **Plaintiff,**

13 **v.**

14 **SUNBEAM PRODUCTS, INC. and**
15 **DOES 1 through 10, inclusive,**

16 **Defendants.**

CV No. 08

0367

**DECLARATION OF S. MARK
VARNEY IN SUPPORT OF NOTICE OF
REMOVAL OF ACTION UNDER 28
U.S.C. SECTION 1441(a) BY
DEFENDANT SUNBEAM PRODUCTS,
INC.**

Complaint Filed: November 28, 2007

17
18 I, S. Mark Varney, declare as follows:

19 1. I make this declaration based upon my personal knowledge and, if
20 called as a witness, could and would testify competently hereto.

21 2. I am a member in good standing of the State Bar of California and
22 am a partner with Carroll, Burdick & McDonough, LLP, attorneys for Defendant
23 Sunbeam Products, Inc. ("Sunbeam").

24 3. Attached hereto as Exhibit A are true and correct copies of the
25 Summons and Complaint in this case.

26 4. Attached hereto as Exhibit B is a printout of a portion of Farmers
27 Group, Inc.'s internet web site, stating that plaintiff Fire Insurance Exchange is a branch
28

1 of Farmers Group, Inc.

2 5. Attached hereto as Exhibit C is a true and correct copy of a document
3 obtained from the corporate information database of the State of Nevada Secretary of
4 State pertaining to the incorporation and place of business of Farmers Group, Inc.
5 According to this document, Farmers Group, Inc. is incorporated in the State of Nevada
6 and has its principal place of business at 4680 Wilshire Blvd., Los Angeles, California
7 90010.

8 6. Attached hereto is Exhibit D is a true and correct copy of a report
9 obtained by my office from Dun & Bradstreet's corporate information database, which
10 shows that plaintiff Fire Insurance Exchange's address and principal place of business is
11 4680 Wilshire Blvd., Los Angeles, California 90010.

12 7. On January 15, 2008, I spoke with Kenneth W. Turner, Esq., counsel
13 for plaintiff Fire Insurance Exchange, by telephone. During this conversation, Mr. Turner
14 advised me that the damages claimed in this case are in excess of \$100,000.00.

15 I declare under penalty of perjury under the laws of the State of California
16 that the foregoing is true and correct and that this declaration was executed on January 18,
17 2008, at San Francisco, California.

18
19 
20 S. Mark Varney
21
22
23
24
25
26
27
28

Exhibit A

Fire Insurance Exchange v. Sunbeam Products, Inc.
Case No. CV 08-0367 CW

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT:

(AVISO AL DEMANDADO):

SUNBEAM PRODUCTS, INC., and DOES 1 through 10, inclusive.

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):

FIRE INSURANCE EXCHANGE

FILED
ALAMEDA COUNTY

NOV 28 2007

CLERK OF THE SUPERIOR COURT

Michelle Cohen
Deputy

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):

ALAMEDA COUNTY SUPERIOR COURT
1225 Fallon Street

Oakland, California 94612
Rene C. Davidson Courthouse

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Kenneth W. Turner, Esq. (SB# 100393)

530-898-0774 530-898-0775

LAW OFFICES OF KENNETH W. TURNER

2057 Forest Avenue, Suite 3

Chico, California 95928

DATE: NOV 28 2007
(Fecha)

Clerk, by

(Secretario)

Michelle Cohen

Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):

- ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ other (specify):

- ☐ by personal delivery on (date):

☐ CCP 416.60 (minor)

☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (authorized person)

Page 1 of 1



6135689

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

Kenneth W. Turner, Esq. (SB# 100393)
 LAW OFFICES OF KENNETH W. TURNER
 2057 Forest Avenue, Suite 3
 Chico, California 95928

TELEPHONE NO.: 530-898-0774

FAX NO.: 530-898-0775

ATTORNEY FOR (Name): Plaintiff, FIRE INSURANCE EXCHANGE

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

STREET ADDRESS: 1225 Fallon Street

MAILING ADDRESS:

CITY AND ZIP CODE: Oakland, California 94612

BRANCH NAME: Rene C. Davidson Courthouse

CASE NAME: FIRE INSURANCE EXCHANGE v. SUNBEAM
 PRODUCTS, INC., and DOES 1 through 10, inclusive.

CIVIL CASE COVER SHEET

☒ **Unlimited** ☐ **Limited**
 (Amount (Amount
 demanded demanded is
 exceeds \$25,000) \$25,000 or less)

Complex Case Designation☐ Counter ☐ Joinder

Filed with first appearance by defendant
 (Cal. Rules of Court, rule 3.402)

CASE NUMBER:

RG 07358222

JUDGE:

DEPT:

FILED
ALAMEDA COUNTY

NOV 28 2007

CLERK OF THE SUPERIOR COURT
 M. J. [Signature]
 Deputy

Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:**Auto Tort**

☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

☐ Asbestos (04)
☒ Product liability (24)
☐ Medical malpractice (45)
☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment

☐ Wrongful termination (36)
☐ Other employment (15)

Contract

☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property

☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer

☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review

☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☐ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)

☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment☐ Enforcement of judgment (20)**Miscellaneous Civil Complaint**

☐ RICO (27)
☐ Other complaint (not specified above) (42)

Miscellaneous Civil Petition

☐ Partnership and corporate governance (21)
☐ Other petition (not specified above) (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. ☐ Large number of separately represented parties d. ☐ Large number of witnesses
 b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 c. ☐ Substantial amount of documentary evidence f. ☐ Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): TWO

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: November 19, 2007

Kenneth W. Turner, Esq. (SB# 100393)
 (TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

SHORT TITLE: FIRE INSURANCE EXCHANGE v. SUNBEAM PRODUCTS, INC., and DOES 1 through 10, inclusive.

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
- b. ☒ General Negligence
- c. ☐ Intentional Tort
- d. ☒ Products Liability
- e. ☐ Premises Liability
- f. ☐ Other (specify):

11. Plaintiff has suffered

- a. ☐ wage loss
- b. ☐ loss of use of property
- c. ☐ hospital and medical expenses
- d. ☐ general damage
- e. ☒ property damage
- f. ☐ loss of earning capacity
- g. ☒ other damage (specify): Payout pursuant to contract of insurance.

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
- (2) ☐ punitive damages

The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):

- (1) ☒ according to proof, plus interest pursuant to Civil Code Section 3287, et seq.
- (2) ☐ in the amount of: \$ 0.00

15. ☒ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):
All charging allegations.

Date: November 19, 2007

Kenneth W. Turner
(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE: FIRE INSURANCE EXCHANGE v. SUNBEAM PRODUCTS, INC., and DOES 1 through 10, inclusive.

CASE NUMBER:

FIRST

(number)

CAUSE OF ACTION—General Negligence

Page FOUR

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): FIRE INSURANCE EXCHANGE

alleges that defendant (name): SUNBEAM PRODUCTS, INC., and

☒ Does 1 to 10, Inclusive

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): January 14, 2007

at (place): 7308 Outlook, Oakland, California 94605 - residence of James & Victoria Esoimeme.

(description of reasons for liability):

The Defendant, SUNBEAM PRODUCTS, INC., negligently manufactured and/or designed the subject electric blanket in such a way as to cause a fire at the above-mentioned premises, which resulted in damages to the premises. Additionally, the Defendant had inadequate use instructions and warnings.

The direct and proximate cause of the plaintiff's insureds' loss is due to the negligence of defendants, and each of them. Pursuant to the applicable contract of insurance, Plaintiff, Fire Insurance Exchange, paid its insured and was subrogated to the extent of its payout.

SHORT TITLE: FIRE INSURANCE EXCHANGE v. SUNBEAM PRODUCTS, INC., and DOES 1 through 10, inclusive.

PLD-PI-001

CASE NUMBER:

4. ☐ Plaintiff (name):

is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

a. ☒ except defendant (name): SUNBEAM PRODUCTS, INC.

- (1) ☒ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

c. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

b. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):

d. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):

SHORT TITLE: FIRE INSURANCE EXCHANGE v. SUNBEAM PRODUCTS, INC., CASE NUMBER:
and DOES 1 through 10, inclusive.

4. ☐ Plaintiff (name):

is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

a. ☒ except defendant (name): SUNBEAM PRODUCTS, INC.

(1) ☒ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

c. ☐ except defendant (name):

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

b. ☐ except defendant (name):

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

d. ☐ except defendant (name):

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

a. ☒ Doe defendants (specify Doe numbers): 1 through 5 were the agents or employees of other named defendants and acted within the scope of that agency or employment.

b. ☒ Doe defendants (specify Doe numbers): 6 through 10 are persons whose capacities are unknown to plaintiff.

7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

a. ☐ at least one defendant now resides in its jurisdictional area.

b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.

c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.

d. ☐ other (specify):

9. ☐ Plaintiff is required to comply with a claims statute, and

a. ☐ has complied with applicable claims statutes, or

b. ☐ is excused from complying because (specify):

SHORT TITLE: FIRE INSURANCE EXCHANGE v. SUNBEAM PRODUCTS, INC., and DOES 1 through 10, inclusive.

CASE NUMBER:

SECOND

CAUSE OF ACTION—Products Liability

Page FIVE

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint
(Use a separate cause of action form for each cause of action.)

Plaintiff (name): FIRE INSURANCE EXCHANGE

Prod. L-1. On or about (date): January 14, 2007
Sunbeam electric blanket

plaintiff was injured by the following product:

Prod. L-2. Each of the defendants knew the product would be purchased and used without inspection for defects. The product was defective when it left the control of each defendant. The product at the time of injury was being

☒ used in the manner intended by the defendants.

☐ used in a manner that was reasonably foreseeable by defendants as involving a substantial danger not readily apparent. Adequate warnings of the danger were not given.

Prod. L-3. Plaintiff was a

☐ purchaser of the product.

☐ bystander to the use of the product.

☐ user of the product.

☒ other (specify): Insurer of the user of the product.

PLAINTIFF'S INJURY WAS THE LEGAL (PROXIMATE) RESULT OF THE FOLLOWING:

Prod. L-4. ☒ Count One—Strict liability of the following defendants who

a. ☒ manufactured or assembled the product (names): Sunbeam Products, Inc., and

☒ Does 1 to 10

b. ☒ designed and manufactured component parts supplied to the manufacturer (names): Sunbeam Products, Inc., and

☒ Does 1 to 10

c. ☒ sold the product to the public (names): Sunbeam Products, Inc., and

☒ Does 1 to 10

Prod. L-5. ☒ Count Two—Negligence of the following defendants who owed a duty to plaintiff (names): Sunbeam Products, Inc., and

☒ Does 1 to 10

Prod. L-6. ☒ Count Three—Breach of warranty by the following defendants (names): Sunbeam Products, Inc., and

☒ Does 1 to 10

a. ☒ who breached an implied warranty

b. ☒ who breached an express warranty which was

☒ written ☒ oral

Prod. L-7. ☐ The defendants who are liable to plaintiffs for other reasons and the reasons for the liability are
☐ listed in Attachment-Prod. L-7 ☐ as follows:

SHORT TITLE: FIRE INSURANCE EXCHANGE v. SUNBEAM PRODUCTS, INC., and DOES 1 through 10, inclusive.

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
- b. ☒ General Negligence
- c. ☐ Intentional Tort
- d. ☒ Products Liability
- e. ☐ Premises Liability
- f. ☐ Other (specify):

11. Plaintiff has suffered

- a. ☐ wage loss
- b. ☐ loss of use of property
- c. ☐ hospital and medical expenses
- d. ☐ general damage
- e. ☒ property damage
- f. ☐ loss of earning capacity
- g. ☒ other damage (specify): Payout pursuant to contract of insurance.

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
 - (2) ☐ punitive damages
- The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):
- (1) ☒ according to proof, plus interest pursuant to Civil Code Section 3287, et seq.
 - (2) ☐ in the amount of: \$ 0.00

15. ☒ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):
All charging allegations.

Date: November 19, 2007

Kenneth W. Turner
(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE: FIRE INSURANCE EXCHANGE v. SUNBEAM PRODUCTS, INC., and DOES 1 through 10, inclusive.

CASE NUMBER:

Page FOUR

FIRST

(number)

CAUSE OF ACTION—General Negligence

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): FIRE INSURANCE EXCHANGE

alleges that defendant (name): SUNBEAM PRODUCTS, INC., and

☒ Does 1 to 10, Inclusive

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): January 14, 2007

at (place): 7308 Outlook, Oakland, California 94605 - residence of James & Victoria Esoimeme.

(description of reasons for liability):

The Defendant, SUNBEAM PRODUCTS, INC., negligently manufactured and/or designed the subject electric blanket in such a way as to cause a fire at the above-mentioned premises, which resulted in damages to the premises. Additionally, the Defendant had inadequate use instructions and warnings.

The direct and proximate cause of the plaintiff's insureds' loss is due to the negligence of defendants, and each of them. Pursuant to the applicable contract of insurance, Plaintiff, Fire Insurance Exchange, paid its insured and was subrogated to the extent of its payout.

Exhibit B

Fire Insurance Exchange v. Sunbeam Products, Inc.
Case No. CV 08-0367 CW



FARMERS

Gets you back where you belong.

[About Farmers](#) • [Contact Us](#) • [Partner Login](#) • [en Espa](#)

"fire insurance exchange"

Search

[Auto](#) | [Homeowners](#) | [Life](#) | [Business](#) | [Boats](#) | [Motorcycles](#) | [Specialty Products](#) | [Financial Products](#)

Manage My Policies & Pay My Monthly Bill

User ID:

[Forgot Your ID?](#)

Password:

[Forgot Your Password?](#)[Enroll Now](#)[Log In](#)[View Demo](#)[Learn More](#)

Make a One Time Payment

Find a Local Agent

Get a Quote

Report a Claim

Use Tools & Calculators

Plan for Life Events

Prepare for the Unexpected

Visit our Communities

Career Opportunities



Since 1928, Farmers people
have been getting you
"back where you belong"



Why Choose Farmers Insurance Group?

The Farmers Insurance Group of Companies was founded in 1928 when Farmers Insurance Exchange, an automobile insurer, was formed. As customer demand for additional insurance services increased, the Fire Insurance Exchange and Truck Insurance Exchange were established for home and commercial insurance needs. Today, the Farmers Insurance Group of Companies is the country's third-largest writer of both private passenger automobile and homeowners insurance.

About Farmers

- [About Farmers](#)
- [What we believe](#)
- [What our customers believe about us](#)

Corporate Contributions

- [Corporate Contributions Form](#)

Employment at Farmers

- [Job Opportunities](#)
- [Information on Internships](#)

[Home](#)[Media Center](#)[Help](#)[Sitemap](#)[Privacy Policy](#)[Legal Disclaimer](#)[Zurich Financial Services](#)

Exhibit C

Fire Insurance Exchange v. Sunbeam Products, Inc.
Case No. CV 08-0367 CW

FARMERS GROUP, INC.

Business Entity Information			
Status:	Active	File Date:	10/17/1927
Type:	Domestic Corporation	Corp Number:	C1096-1927
Qualifying State:	NV	List of Officers Due:	10/31/2008
Managed By:		Expiration Date:	

Resident Agent Information			
Name:	CSC SERVICES OF NEVADA, INC.	Address 1:	502 EAST JOHN STREET
Address 2:		City:	CARSON CITY
State:	NV	Zip Code:	89706
Phone:		Fax:	
Email:		Mailing Address 1:	
Mailing Address 2:		Mailing City:	
Mailing State:		Mailing Zip Code:	

Financial Information			
No Par Share Count:	0	Capital Amount:	\$ 1,000.00
Par Share Count:	1,000.00	Par Share Value:	\$ 1.00

Officers				<input type="checkbox"/> Include Inactive Officers
Secretary - DOREN HOHL				
Address 1:	4680 WILSHIRE BOULEVARD	Address 2:		
City:	LOS ANGELES	State:	CA	
Zip Code:	90010	Country:		
Status:	Active	Email:		
President - PAUL N HOPKINS				
Address 1:	4680 WILSHIRE BOULEVARD	Address 2:		
City:	LOS ANGELES	State:	CA	
Zip Code:	90010	Country:		
Status:	Active	Email:		
Director - JASON KATZ				
Address 1:	4680 WILSHIRE BOULEVARD	Address 2:		
City:	LOS ANGELES	State:	CA	
Zip Code:	90010	Country:		
Status:	Active	Email:		
Treasurer - PIERRE C WAUTHIER				
Address 1:	4680 WILSHIRE BOULEVARD	Address 2:		
City:	LOS ANGELES	State:	CA	
Zip Code:	90010	Country:		
Status:	Active	Email:		

Actions\Amendments			
Action Type:	Articles of Incorporation		
Document Number:	C1096-1927-001	# of Pages:	0
File Date:	10/17/1927	Effective Date:	
(No notes for this action)			
Action Type:	Amendment		

Document Number:	C1096-1927-003	# of Pages:	1
File Date:	11/22/1927	Effective Date:	
CERTIFICATE OF AMENDMENT FILED.			
Action Type:	Amendment		
Document Number:	C1096-1927-004	# of Pages:	1
File Date:	03/24/1930	Effective Date:	
CERTIFICATE OF AMENDMENT FILED.			
Action Type:	Amendment		
Document Number:	C1096-1927-005	# of Pages:	1
File Date:	02/04/1936	Effective Date:	
CERTIFICATE OF AMENDMENT FILED.			
Action Type:	Amendment		
Document Number:	C1096-1927-006	# of Pages:	1
File Date:	01/31/1938	Effective Date:	
CERTIFICATE OF AMENDMENT FILED.			
Action Type:	Amendment		
Document Number:	C1096-1927-007	# of Pages:	1
File Date:	02/09/1940	Effective Date:	
CERTIFICATE OF AMENDMENT FILED.			
Action Type:	Amendment		
Document Number:	C1096-1927-008	# of Pages:	1
File Date:	02/19/1948	Effective Date:	
CERTIFICATE OF AMENDMENT FILED.			
Action Type:	Amendment		
Document Number:	C1096-1927-009	# of Pages:	1
File Date:	05/29/1950	Effective Date:	
CERTIFICATE OF AMENDMENT FILED.			
Action Type:	Amendment		
Document Number:	C1096-1927-010	# of Pages:	1
File Date:	08/04/1954	Effective Date:	
CERTIFICATE OF AMENDMENT FILED.			
Action Type:	Amendment		
Document Number:	C1096-1927-011	# of Pages:	1
File Date:	03/29/1965	Effective Date:	
CERTIFICATE OF AMENDMENT FILED.			
Action Type:	Amendment		
Document Number:	C1096-1927-012	# of Pages:	1
File Date:	05/03/1968	Effective Date:	
RESTATED ARTICLES OF INCORPORATION FILED.			
Action Type:	Merger		
Document Number:	C1096-1927-013	# of Pages:	1
File Date:	12/31/1970	Effective Date:	
AGREEMENT OF MERGER-MERGING TRUCK UNDERWRITERS ASSOCIATION & FIRE UNDERWRITERS ASSOCIATION, BOTH (CA) CORPS. NOT QUAL., INTO THIS CORP. CHANGED NAME OF SURV.			
Action Type:	Amendment		
Document Number:	C1096-1927-014	# of Pages:	1
File Date:	12/31/1970	Effective Date:	
FARMERS UNDERWRITERS ASSOCIATION B ? < 001			
Action Type:	Amendment		
Document Number:	C1096-1927-015	# of Pages:	1
File Date:	03/26/1971	Effective Date:	
RESTATED ARTICLES OF INCORPORATION			
Action Type:	Amendment		

Document Number:	C1096-1927-016	# of Pages:	1
File Date:	06/06/1972	Effective Date:	
CERTIFICATE OF AMENDMENT: ARTICLE IV CAPITAL STOCK \$32,000,000.00			
Action Type:	Amendment		
Document Number:	C1096-1927-017	# of Pages:	1
File Date:	08/11/1972	Effective Date:	
RESTATED ARTICLES OF INCORPORATION			
Action Type:	Resident Agent Address Change		
Document Number:	C1096-1927-018	# of Pages:	1
File Date:	12/11/1973	Effective Date:	
NV CORPORATION SERVICE & TRUST CO			
195 SOUTH SIERRA ST RENO NV			
Action Type:	Resident Agent Change		
Document Number:	C1096-1927-019	# of Pages:	1
File Date:	05/06/1974	Effective Date:	
NV CORPORATION SERVICE & TRUST CO #309			
ONE E LIBERTY ST RENO NV			
Action Type:	Amendment		
Document Number:	C1096-1927-020	# of Pages:	1
File Date:	05/31/1974	Effective Date:	
CERT. OF AMENDMENT-ARTICLE VI			
Action Type:	Amendment		
Document Number:	C1096-1927-021	# of Pages:	1
File Date:	06/21/1974	Effective Date:	
RESTATED ARTICLES OF INCORPORATION			
Action Type:	Amendment		
Document Number:	C1096-1927-022	# of Pages:	1
File Date:	06/09/1977	Effective Date:	
ARTICLE IV CAPITAL STOCK \$52,000,000.			
Action Type:	Amendment		
Document Number:	C1096-1927-023	# of Pages:	1
File Date:	10/01/1984	Effective Date:	
CAPITAL STOCK WAS \$52,000,000			
Action Type:	Amendment		
Document Number:	C1096-1927-024	# of Pages:	1
File Date:	05/21/1986	Effective Date:	
CAPITAL STOCK WAS \$79,000,000			
Action Type:	Amendment		
Document Number:	C1096-1927-025	# of Pages:	1
File Date:	12/16/1988	Effective Date:	
CAPITAL STOCK WAS \$237,000,000			
AGREEMENT OF MERGER MERGING BATIS FINANCIAL SERVICES, INC. (A DELAWARE CORP) IN TO THIS CORP			
Action Type:	Amendment		
Document Number:	C1096-1927-026	# of Pages:	1
File Date:	02/09/1989	Effective Date:	
CERTIFICATE OF AMENDMENT OF RESTATED ARTICLES AMENDING ARTICLE FOUR.			
Action Type:	Amendment		
Document Number:	C1096-1927-027	# of Pages:	4
File Date:	09/04/1998	Effective Date:	
CERTIFICATE OF AMENDMENT FILED AMENDING ARTICLE FOURTH. (4)PGS. DMF			
Action Type:	Annual List		
Document Number:	C1096-1927-035	# of Pages:	2

File Date:	11/16/1998	Effective Date:	
(No notes for this action)			
Action Type:	Resident Agent Address Change		
Document Number:	C1096-1927-028	# of Pages:	1
File Date:	10/29/1999	Effective Date:	
CORPORATION TRUST COMPANY OF NEVAD KFA			
ONE EAST FIRST STREET RENO NV 89501 KFA			
Action Type:	Annual List		
Document Number:	C1096-1927-036	# of Pages:	2
File Date:	11/04/1999	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	C1096-1927-034	# of Pages:	2
File Date:	11/03/2000	Effective Date:	
(No notes for this action)			
Action Type:	Amendment		
Document Number:	C1096-1927-029	# of Pages:	1
File Date:	02/08/2001	Effective Date:	
#1 OF 7. AMENDED AND RESTATED ARTICLES FILED AMENDING ARTICLE FOURTH. (7)PGS.			
DMF			
#2 OF 7. CERTIFICATE OF DESIGNATION FILED DESIGNATING 8 AND 8/9 SHARES AS			
CLASS C-1 COMMON STOCK. (22)PGS. DMF			
#3 OF 7. CERTIFICATE OF DESIGNATION FILED DESIGNATING 6 AND 2/3 SHARES AS			
CLASS C-2 COMMON STOCK. (22)PGS. DMF			
#4 OF 7. CERTIFICATE OF DESIGNATION FILED DESIGNATING 10 SHARES AS			
CLASS C-3 COMMON STOCK. (21)PGS.			
DMF			
#5 OF 7. CERTIFICATE OF DESIGNATION FILED DESIGNATING 5 AND 5/9 SHARES AS			
CLASS C-4 COMMON STOCK. (21)PGS. DMF			
#6 OF 7. CERTIFICATE OF DESIGNATION FILED DESIGNATING 8 AND 8/9 SHARES AS			
CLASS C-5 COMMON STOCK. (21)PGS.			
DMF			
#7 OF 7. CERTIFICATE OF DESIGNATION FILED DESIGNATING 10 SHARES AS			
CLASS C-6 COMMON STOCK. (21)PGS.			
DMF			
Action Type:	Amendment		
Document Number:	C1096-1927-030	# of Pages:	1
File Date:	02/14/2001	Effective Date:	
AMENDMENT TO CERTIFICATE OF DESIGNATION OF CLASS C-3 COMMON STOCK FILED.			
#1 OF 4 (3)PGS CHM			
AMENDMENT TO CERTIFICATE OF DESIGNATION OF CLASS C-4 COMMON STOCK FILED.			
#2 OF 4 (3)PGS CHM			
AMENDMENT TO CERTIFICATE OF DESIGNATION OF CLASS C-5 COMMON STOCK FILED.			
#3 OF 4 (3)PGS CHM			
AMENDMENT TO CERTIFICATE OF DESIGNATION OF CLASS C-6 COMMON STOCK FILED.			
#4 OF 4 (3)PGS CHM			
Action Type:	Annual List		
Document Number:	C1096-1927-033	# of Pages:	7
File Date:	10/25/2001	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	C1096-1927-032	# of Pages:	5
File Date:	10/31/2002	Effective Date:	

(No notes for this action)

Action Type:	Annual List		
Document Number:	C1096-1927-002	# of Pages:	1
File Date:	11/10/2004	Effective Date:	

List of Officers for 2004 to 2005

Action Type:	Resident Agent Change		
Document Number:	C1096-1927-031	# of Pages:	1
File Date:	12/20/2004	Effective Date:	

CORPORATION TRUST COMPANY OF NEVADA STE 500

6100 NEIL ROAD RENO NV 89511 CXE

Action Type:	Annual List		
Document Number:	20050431979-70	# of Pages:	1
File Date:	09/26/2005	Effective Date:	

(No notes for this action)

Action Type:	Annual List		
Document Number:	20060600189-22	# of Pages:	1
File Date:	09/18/2006	Effective Date:	

(No notes for this action)

Action Type:	Annual List		
Document Number:	20070652335-13	# of Pages:	1
File Date:	09/25/2007	Effective Date:	

(No notes for this action)

Exhibit D

Fire Insurance Exchange v. Sunbeam Products, Inc.
Case No. CV 08-0367 CW

**D&B's Million Dollar Databases**[Search Results](#)[New Search](#)[Modify Search](#)[My Criteria](#)[Output](#)[Help](#)[<< Previous](#) Record 1 of 1 [Next >>](#)**Fire Insurance Exchange**Marked for Output ☐

D&B D-U-N-S Number 04-443-5584

Company Name(s) Fire Insurance Exchange

Trade Styles

Street Address 4680 Wilshire Blvd

City Los Angeles

State / Province CA

ZIP Code 90010

County Los Angeles

Phone Number (323)932-3200

Sales \$404,467,000

US (ACTUAL)

Employees Here 2300

Employees Total 16728

Location Type Headquarters

Line Of Business FIRE/CASUALTY INSURANCE CARRIER

Primary SICs 63310000

Fire, marine, and casualty insurance

Primary NAICS 524126

Ownership / Control Date 1942

Metropolitan Area

State of Incorporation CA

Import/Export Not Available

Public/Private Private

Ticker Symbol

Bank

Accountant

CEO ☐ Mr Martin Feinstein

Chief Executive Officer

Executives ☐ Mr John Harrington

President

☐ Mr Ron Myhan

Treasurer

☐ Doren Hohl

Secretary

Other Officers

Executive Biographies JOHN HARRINGTON LYNCH YEAR OF BIRTH: 0000 Antecedents are undetermined.

MARTIN FEINSTEIN YEAR OF BIRTH: 0000 Antecedents are undetermined.

Copyright © 2007 D&B - ALL RIGHTS RESERVED